

STATE OF WISCONSIN

CIRCUIT COURT
CRIMINAL DIVISION

MILWAUKEE COUNTY

CRIMINAL COMPLAINT

STATE OF WISCONSIN

DA Case No.: 2014ML000442

vs. Plaintiff,

Complaining Witness:

Det. D. DESOTELL #267

Thicklen, Xavier D
7114 N. 37th Street
Milwaukee, WI 53209
DOB: 09/24/1988

Court Case No.:

Defendant,

THE ABOVE NAMED COMPLAINING WITNESS BEING DULY SWORN, ON INFORMATION AND BELIEF STATES THAT:

Count 1: SECOND DEGREE SEXUAL ASSAULT (INMATE BY CORRECTIONAL OFFICER)

The above-named defendant on or about Friday, April 12, 2013, at 949 N. 9th Street, in the City of Milwaukee, Milwaukee County, Wisconsin, being a correctional staff member, did have sexual intercourse with SLM, an individual who was confined in a correctional institution, contrary to sec. 940.225(2)(h), 939.50(3)(c) Wis. Stats.

Upon conviction for this offense, a Class C Felony, the defendant may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than forty (40) years, or both.

Count 2: SECOND DEGREE SEXUAL ASSAULT (INMATE BY CORRECTIONAL OFFICER)

The above-named defendant, in July or August of 2013, at 949 North 9th Street, in the City of Milwaukee, Milwaukee County, Wisconsin, being a correctional staff member, did have sexual intercourse with SLM, an individual who was confined in a correctional institution, contrary to sec. 940.225(2)(h), 939.50(3)(c) Wis. Stats.

Upon conviction for this offense, a Class C Felony, the defendant may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than forty (40) years, or both.

Count 3: SECOND DEGREE SEXUAL ASSAULT (INMATE BY CORRECTIONAL OFFICER)

The above-named defendant in September of 2013, at 949 North 9th Street, in the City of Milwaukee, Milwaukee County, Wisconsin, being a correctional staff member, did have sexual intercourse with SLM, an individual who was confined in a correctional institution, contrary to sec. 940.225(2)(h), 939.50(3)(c) Wis. Stats.

Upon conviction for this offense, a Class C Felony, the defendant may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than forty (40) years, or both.

Count 4: SECOND DEGREE SEXUAL ASSAULT (INMATE BY CORRECTIONAL OFFICER)

The above-named defendant during early October, 2013, at 949 North 9th Street, in the City of Milwaukee, Milwaukee County, Wisconsin, being a correctional staff member, did have sexual intercourse with SLM, an individual who was confined in a correctional institution, contrary to sec. 940.225(2)(h), 939.50(3)(c) Wis. Stats.

Upon conviction for this offense, a Class C Felony, the defendant may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than forty (40) years, or both.

Count 5: SECOND DEGREE SEXUAL ASSAULT (INMATE BY CORRECTIONAL OFFICER)

The above-named defendant on or about Friday, November 15, 2013, at 949 North 9th Street, in the City of Milwaukee, Milwaukee County, Wisconsin, being a correctional staff member, did have sexual intercourse with SLM, an individual who was confined in a correctional institution, contrary to sec. 940.225(2)(h), 939.50(3)(c) Wis. Stats.

Upon conviction for this offense, a Class C Felony, the defendant may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than forty (40) years, or both.

Complainant is a Milwaukee County Deputy Sheriff and bases this complaint upon information and belief.

Complainant states that on December 13, 2013, he interviewed SM (d.o.b. 6/4/1993), an inmate at the Milwaukee County Jail, 949 N 9th St, Milwaukee WI. During that interview, SM told complainant that she has been incarcerated at the Milwaukee County Jail since February 13, 2013, and she is in custody for a robbery case. She stated that since her incarceration, she has had sexual encounters with a correctional officer (defendant Xavier Thicklen) on five different occasions.

Complainant states that he showed SM a Milwaukee County Sheriff's Office staff management photo of defendant Xavier Thicklen, a correctional officer, and asked her if the person depicted in the photo is the person she had been having sexual encounters with. SM did identify the known picture of defendant Xavier Thicklen as being the person she had sexual encounters with (as described below), while she has been incarcerated in the jail.

Count One

SM told complainant that the first time she had sexual contact with Thicklen (defendant) was in April of 2013. She said that on that day, she and two other inmates were escorted by Thicklen to the jail clinic. SM said that Tammy Silva was the name of one of the other inmates who was escorted to the clinic. SM said that Thicklen placed her in cell B and the other two inmates were placed in cell A. She stated that at one point she showed her breasts to Thicklen due to his request that she do so. SM said that after their medical appointments were finished, Thicklen returned the other two inmates to their assigned Pod, but he left her in cell B. She said that when Thicklen returned, he "touched me." SM said that Thicklen was playing with her vagina. She said that this happened while she was in the cell and Thicklen was at the entrance to the cell.

During a subsequent interview, on January 16, 2013, SM stated that Thicklen was touching her vagina with his hand and fingers and that his fingers did penetrate her vagina.

Complainant states he was subsequently able to determine that on April 12, 2013, Tammy Silva and SM went to the clinic together, along with another inmate. Further, records kept by the Sheriff's Department show that defendant Thicklen was assigned as the Clinic officer for the second shift on April 12, 2013.

Count Two

Complainant states that during the December 13, 2013, interview with SM, she told him that the second time she had sexual contact with Thicklen was around the time of her boyfriend's birthday. She stated that this happened at Floor Control, in the jail, and it happened when Thicklen was assigned to the 6th Floor Control in the jail. She said that Thicklen called into Pod 6A, where she was housed, for a fake attorney visit. She stated that Thicklen placed her into an attorney room and told her to pull her pants down and to wait for him. She stated that when Thicklen returned, he inserted his penis into her anus.

Complainant states that during a later interview with SM, which happened on December 11, 2013, SM told him that this incident happened in July or August.

Count Three

Complainant states that during the December 13, 2013, interview with SM, she told him that the third time she had sexual contact with Thicklen was on the fourth floor of the jail. She said that Thicklen was assigned to the Fourth Floor Control and he again called her out from Pod 4A, where she was housed, for a fake attorney visit. Thicklen then told her they needed to talk about something and when she asked what they needed to talk about, he replied "You know about what." She said that she then knew what she had to do. Thicklen put her into an attorney room and then had vaginal sex, meaning his penis went into her vagina. She stated that she believed that Thicklen broke her plug and when she later asked another correctional officer what that meant, the officer told her that she was about to have a baby.

Complainant states that during a later interview with SM, which happened on December 11, 2013, SM told him that this incident happened in September.

Count Four

Complainant states that during the December 13, 2013, interview with SM, she told him that the fourth time she had sexual contact with Thicklen was a few days after she gave birth. (Complainant states that SM gave birth in early October, 2013.) SM told complainant that it happened in the jail infirmary and that Thicklen was assigned to work in the infirmary. She stated that after Thicklen locked the other inmates into their cells, he came to her cell and she performed oral sex, meaning his penis in her mouth, on Thicklen.

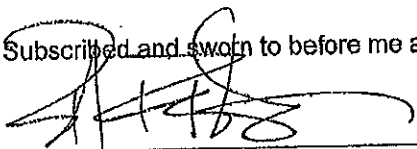
Count Five

Complainant states that during the December 13, 2013, interview with SM, she told him that the last time she had sexual contact with Thicklen was when she was assigned to Pod 6D and Thicklen was assigned as the Clinic Officer. She said on that day, there were numerous medical emergencies in the Pod, including an inmate falling down the stairs. She stated that Thicklen came to the Pod and told the Pod officer that she, SM, had a doctor's appointment. She said that she did not have an appointment, but this was Thicklen's way to get her to the clinic. She said that Thicklen took her to the clinic and she was put into a holding cell. She said that while in the cell, she gave Thicklen "some head," meaning his penis into her mouth.

Complainant states that through his subsequent investigation he was able to determine that on November 15, 2013, Thicklen, defendant, came to Pod 6D, where SM was being held, removed her tier card, and escorted her out of the Pod to the second level of the Milwaukee County Jail. The jail clinic is located on the second level of the jail.

****End of Complaint****

Subscribed and sworn to before me and approved for filing this 17th day of January, 2014.


Paul L. Tiffin
Assistant District Attorney
1017260


Complaining Witness